

# Exhibit E

AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

Central States, Southeast and Southwest Areas  
Pension Fund, and Howard McDougall, Trustee,  
(Plaintiffs),

V.

Auto Rail Services of Maryland, Inc., a  
Maryland corporation, et al., (Defendants).

CASE NUMBER:

**08 C 1138**

ASSIGNED JUDGE:

DESIGNATED

MAGISTRATE JUDGE:

**JUDGE DARRAH  
MAGISTRATE JUDGE VALDEZ**

TO: (Name and address of Defendant)

Auto Rail Services of Ohio, Inc.  
c/o C T Corporation System - Registered Agent  
1300 E 9th St.  
Cleveland, OH 44114

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Charles H. Lee, Esq.  
Central States Law Department  
9377 W. Higgins Rd., 10th Flr.  
Rosemont, IL 60018

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**Michael W. Dobbins, Clerk**

*Esperanza Arnold*  
(By) DEPUTY CLERK

**February 25, 2008**

Date



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| RETURN OF SERVICE  |                                |       |
|--|--------------------------------|-------|
| Service of the Summons and complaint was made by me <sup>(1)</sup>   | DATE <u>2/28/08</u>            |       |
| NAME OF SERVER (PRINT)<br><u>Timothy D. Shaver</u>   | TITLE<br><u>Process Server</u> |       |
| Check one box below to indicate appropriate method of service  |                                |       |
| <input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>1300 E. 9th St</u><br><u>Cheer OHIO</u>   |                                |       |
| <input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.<br>Name of person with whom the summons and complaint were left: <u>served: Indiko SARAI</u> |                                |       |
| <input type="checkbox"/> Returned unexecuted: _____<br>_____<br>_____  |                                |       |
| <input type="checkbox"/> Other (specify): _____<br>_____<br>_____  |                                |       |
| STATEMENT OF SERVICE FEES  |                                |       |
| TRAVEL   | SERVICES                       | TOTAL |
|  |                                |       |
| DECLARATION OF SERVER  |                                |       |
| I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.   |                                |       |
| Executed on <u>2/28/08</u><br><div style="display: flex; justify-content: space-between;"> <span>Date</span> <span><u>T. Shaver</u><br/>Signature of Server</span> </div>  |                                |       |
| <u>7599 Hillside Rd. Indip OHIO</u><br>Address of Server   |                                |       |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.